IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.42460 of 2008
CHANDRIKA PRASAD @ CHANDRIKA,
S/o Doman Raw, R/o Near about Naulakkha Temple,]
Rajgir, P.S. Rajgir, District- Nalanda.
Versus
STATE OF BIHAR
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2. 04.12.2008. Heard.

Refusal to perform an agreement for sale even after taking a part of the consideration and, on top of that, to sell the same to another appears to be the main ingredient of cheating, as alleged in the complaint. Complainant, therefore, in the form of a complaint is seeking specific performance of an agreement or refund of the consideration, said to have been paid.

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Taking into account the said state of affair, the application of the petitioner for grant of anticipatory bail is allowed.

In the event of arrest or surrender of the petitioner within six weeks from today, let the petitioner, namely, Chandrika Prasad @ Chandrika be released on bail on his furnishing bond in the sum of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri M.V. Singh, Judicial Magistrate, 1st Class, Nalanda, in

connection with Complaint Case no. 1306©/2005, subject to the conditions as laid down under Section 438(2) of the Criminal Procedure Code.

(Barin Ghosh, J.)

dk

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